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SUBJECT: A WARNING NOTE ON VIGILANTE JUSTICE

1. (SBU) Summary: Two men who murdered three gang members who had killed their brother are in jail awaiting trial, in what is one of the first cases of open vigilante justice in response to the current elevated murder rates in El Salvador. The men confessed to the murders, and will likely be found guilty and receive stiff sentences. The publicizing of their punishment, however, may not fully deter future actions by citizens, in the face of real and perceived weaknesses in the justice sector and an astronomical murder rate. End Summary.

Taking the Law into Their Own Hands

2. (U) On July 9, Wilfredy and Osmin Carillo tracked down and hacked to death with machetes three gang members, and injured two more, who were allegedly responsible for their brother's recent death. The two men confessed the revenge killings to the police and were immediately detained. On July 13, a judge ordered them held until their trial could begin, rejecting their argument of "self defense."

3. (SBU) The brothers alleged that they killed the gang members because the GOES "Super Hard Hand Plan" does not work. (Note: The Super Hard Hand Plan is an interagency effort designed to reduce violent crime in communities that suffer from high gang activity; its methods include targeted application of searches and arrests of gang leaders. End Note.) In addition, Panchimalco, the poor village in which the crimes took place, has a particularly strong traditional family clan structure, which made a reprisal of this nature more likely.

Comment: A Cautionary Note

4. (SBU) Given a daily death toll that averages 9-10 and that has reached as high as 22 (in a country of 6.5 million), and because successful investigations, prosecutions, and jailings of murderers are rare, it is surprising that there are not more cases of vigilante justice. Judges, prosecutors, and police, especially in rural areas, are either unwilling or unable to prevent gang members' assaults and intimidation. Witnesses are murdered, along with members of their families, intimidating the most important sources of information to break the cycle of impunity.

5. (SBU) The Prosecutor General told one Embassy contact that, "We were unable to prevent the guerrilla insurgency in the 1970's, and we were unable to prevent the crime wave of the mid-1990's. I don't want to see us fail to prevent vigilantism." The Saca Administration is working to address the violence issue, but measures to date have not brought the murder rate down. New legal tools are needed such as rigorous rules of evidence (which have been developed with U.S. assistance but may be stalled because judges fear losing their prerogatives) and a Witness Protection Law (recently introduced to the Assembly, and likely to pass). The threat from those who are out of patience with gang violence is not just against their presumed tormentors, but against El Salvador's painstakingly-reconstructed postwar law enforcement institutions. End Comment.
Silverman